

Article - Environment

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§9–331.1.

(a) (1) The owner or operator of any sanitary sewer system, combined sewer system, or wastewater treatment plant shall report to the Department any sewer overflow or treatment plant bypass that results in the direct or potential discharge of raw or diluted sewage into the surface waters or groundwaters of the State.

(2) The report shall be made as soon as practicable but no later than 24 hours after the time that the operator or owner became aware of the event.

(3) Within 5 calendar days after notification of the event, the owner or operator shall provide the Department with a written report regarding the incident that includes any information required by the Department.

(b) (1) Subject to paragraph (2) of this subsection, the Department, in cooperation with the Maryland Department of Health, the local health departments, and local environmental health directors, shall develop procedures for requiring the owner or operator of any sanitary sewer system, combined sewer system, or wastewater treatment plant to provide public notification of a sewer overflow or treatment plant bypass.

(2) The procedures developed under paragraph (1) of this subsection shall:

(i) Require that the notification be posted:

1. In Spanish and English at the location of the sewer overflow or treatment plant bypass;

2. On the website of the Department, the Maryland Department of Health, and the appropriate local health department; and

3. On any social media website on which the appropriate local health department regularly posts information; and

(ii) Require notification within a reasonable time to:

1. Appropriate downstream jurisdictions;

2. Appropriate county governments;
3. State parks impacted by the sewer overflow or treatment plant bypass;
4. The Department of Natural Resources; and
5. Any other local, State, or federal land manager impacted by the sewer overflow or treatment plant bypass.

(c) (1) The Maryland Department of Health and the local health departments shall make all decisions and determinations as to public health issues resulting from sewer overflows or treatment bypasses.

(2) The owner or operator of any sanitary sewer system, combined sewer system, or wastewater treatment plant is not responsible for making public health determinations regarding sewer overflow or treatment plant bypasses.

(d) The Department shall adopt regulations to implement the requirements of this section.

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